

JC

JCWSCS 01 APR 2004

03/31/2004 17:14 425-482-2013

FILE COPY  
VAIL

PAGE 01

## Facsimile Transmittal

### Smart Drilling and Completion, Inc.

Telephone Number: 425-486-8789

Fax Number: 425-482-2013

22833 Bothell-Everett Highway

Suite 102-1336

Bothell, WA 98021

RE: CORRECTION TO FILING  
REKIAT FOR S/N 10/729,509

Date: 3/31/2004

Time: ~ 5:10 PM (PCT)

Attention: OFFICE OF INITIAL PATENT EXAMINATION

From: WILLIAM BANNING VAIL III

Sent to Fax #: (703) 746-9195

# Pages (including this cover): 13

Comment(s):

DEAR SIR;

PLEASE REFER TO THE ACCOMPANYING  
LETTER AND DOCUMENTATION REQUESTING  
A CORRECTION OF THE FILING DATE  
FOR S/N 10/729,509. THANK YOU.

RESPECTFULLY SUBMITTED,

William Banning Vail III

**NOTICE:** The information in this Fax is proprietary and confidential. It is intended for the use of the recipient named above (or the employee or agent responsible to deliver it to the intended recipient) and must not be disclosed for use other than the purpose of the recipient's custody without the express written permission of W. Banning Vail, Ph.D. If you receive this Fax in error, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this Fax in error, please call (425) 486-8789 immediately, and please return the original Fax via Federal Express to W. Banning Vail, Ph.D., President, Smart Drilling and Completion, Inc. at the following street address: 22833 Bothell-Everett Highway, Suite 102-1336, Bothell, WA 98021. W. Banning Vail, Ph.D. will, of course, reimburse you for any shipping expenses. Thank you.

①



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/729,509	12/08/2003	3672	514		48	6	6

24245  
 WILLIAM BANNING VAIL III  
 3123 198TH PLACE SE  
 BOTHELL, WA 98012

CONFIRMATION NO. 1990

## FILING RECEIPT



\*OC000000012096275\*

12/04/2003

Date Mailed: 03/12/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

James E. Chitwood, Houston, TX;  
 William Banning Vail III, Bothell, WA;  
 Damir S. Skerl, Houston, TX;  
 Robert L. Dekle, Tulsa, OK;  
 William G. Crossland, Seattle, WA;

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/223,025 08/15/2002  
 and claims benefit of 60/432,045 12/08/2002  
 and claims benefit of 60/448,191 02/18/2003  
 and claims benefit of 60/455,657 03/18/2003  
 and claims benefit of 60/504,359 09/20/2003  
 and claims benefit of 60/523,894 11/20/2003

## Foreign Applications

If Required, Foreign Filing License Granted: 03/12/2004

Projected Publication Date: 06/24/2004

Non-Publication Request: No

Early Publication Request: No

3

**\*\* SMALL ENTITY \*\*****Title**

High power umbilicals for electric flowline immersion heating of produced hydrocarbons

**Preliminary Class**

175

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

④

March 31, 2004

-SENT BY FAX-

Office of Initial Patent Examination  
Division of Filing Receipt Corrections  
Fax No. 703-746-9195

RE: Erroneous Filing Receipt for Serial No. 10/729,509

Dear Sir;

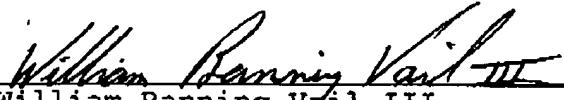
I received the Filing Receipt for Serial No. 10/729,509. The Filing Date is erroneous. The correct Filing Date is 12/4/2003. A copy of the marked-up Filing Receipt accompanies this letter that is sent by fax.

Accompanying this fax are the following documents showing that the correct Filing Date is 12/4/2003:

- (A) Certificate of Deposit by Express Mail dated December 4, 2003 and signed by Marilyn L. Vail (1 page)
- (B) Copy of the "Post Office to Addressee" Label "round-stamped" by the U.S. Post Office with the date of "DEC 4 2003" and a copy of the Payment Receipt that is also "round-stamped" by the U.S. Post Office with the date of "DEC 4 2003" (1 page)
- (C) Copy of the "Utility Patent Application Transmittal" showing the proper Express Mail Label Number (1 page)
- (D) Copy of the "Transmittal Letter for Patent Application with Remarks" dated December 4, 2003 (6 pages) that provides a second, and redundant, Certificate of Deposit by "Express Mail" that is dated December 4, 2003 and signed by Marilyn L. Vail

Thank you for correcting the Filing Date in the Filing Receipt. I look forward to receiving the Corrected Filing Receipt.

Very respectfully submitted,

  
William Banning Vail III  
Second Named Inventor and  
President of Smart Drilling and Completion, Inc.  
3123 - 198th Place S.E.  
Bothell, Washington 98012  
Home Telephone: (425) 486-8789  
Home Fax: (425) 482-2013

3/31/2004  
Date

②

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Certificate of Deposit by "Express Mail"

Express Mail Number: EU 832 621 144 USDate of Deposit: December 4, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service using "Express Mail Post Office to Addressee" Service under 37 CFR § 1.10 on the date indicated above and is addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450."

Signed: Marilyn L. Vail

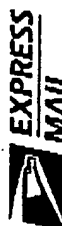
Marilyn L. Vail

TYPE OF DOCUMENT: Utility Patent Application entitled:

" HIGH POWER UMBILICALS FOR ELECTRIC FLOWLINE IMMERSION  
HEATING OF PRODUCED HYDROCARBONS "

Application Papers  
Rig-2

(5)



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**TO: PLEASE PRINT**

1. **INTRODUCTION**

Mail Stop  
Patent Application  
Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA

$$\begin{array}{r} 0 \\ 5 \\ 4 \\ + \\ 1 \\ \hline 10 \\ 9 \end{array}$$


\*\*\*\*\* WELCOME TO \*\*\*\*\*  
RIVERTON HEIGHTS  
SEATTLE, WA 98188-9998  
12/04/03 10:25PM

Store	USPS	Trans	188
Wkstn	sys5002	Cashier	XGS8PB
Cashier's Name		Dan	
Stock Unit Id		SIADAN	
PO Phone Number		800-275-8777	
USPS #		5476210038	

1. Exp. Mail PO-ADD	25.95
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Postage Type: PVI  
Total Cost: 25.95  
Base Rate: 24.20

Label#:  
EU832621144US

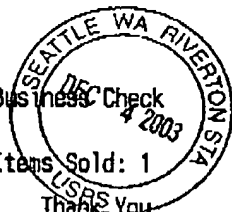
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Receipt		1.75

Subtotal	25.95
Total	25.95

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Thank You  
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⑥

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	
	First Inventor	James E. Chitwood
	Title	High Power Umbilicals For Electric Flowline Immersion Heating ...
	Express Mail Label No.	EU 832 621 144 US

<b>APPLICATION ELEMENTS</b> See MPEP chapter 800 concerning utility patent application contents.	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
---	---

1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>167</u> ] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>48</u> ] 5. Oath or Declaration [Total Sheets <u>6</u> ] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies
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**ACCOMPANYING APPLICATION PARTS**


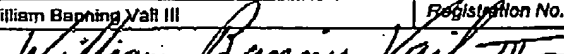
9. ☐ Assignment Papers (cover sheet & document(s))  
 10. ☐ 37 CFR 3.73(b) Statement of Attorney  
 (when there is an assignee) ☐ Power of Attorney  
 11. ☐ English Translation Document (if applicable)  
 12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations  
 13. ☐ Preliminary Amendment  
 14. ☐ Return Receipt Postcard (MPEP 503)  
 (Should be specifically itemized)  
 15. ☐ Certified Copy of Priority Document(s)  
 (if foreign priority is claimed)  
 16. ☐ Nonpublication Request under 35 U.S.C. 122  
 (b)(2)(B)(i). Applicant must attach form PTO/SB/35  
 or its equivalent.  
 17. ☒ Other: 1. Certificate of Deposit  
 2. Return Receipt Post Card

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No. 10/223,025

Prior application information: Examiner Giovanna M. Collins Art Unit: 3672  
 For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number: 		OR <input type="checkbox"/> Correspondence address below	
Name	William Banning Vail III		
Address	3123 - 198th Place S.E.		
City	Bothell	State	WA
Country	U.S.A.	Zip Code	98012
Telephone	425-486-8789	Fax	425-482-2013
Name (Print/Type)	William Banning Vail III	Registration No. (Attorney/Agent)	
Signature		Date	12/4/2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

(7)

Rig-2

1                   IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2  
3                   Certificate of Deposit by "Express Mail"  
4                   Express Mail Number: EU 832 621 144 US  
5                   Date of Deposit: December 4, 2003

6                   I hereby certify that this paper or fee is being  
7                   deposited with the United States Postal Service using  
8                   "Express Mail Post Office to Addressee" Service under  
9                   37 CFR § 1.10 on the date indicated above and is  
10                  addressed to the "Mail Stop Patent Application, Commissioner  
11                  for Patents, P.O. Box 1450, Alexandria, VA 22313-1450."

12  
13                  Signed: Marilyn L. Vail  
14                                  Marilyn L. Vail

15  
16  
17                  TRANSMITTAL LETTER FOR PATENT APPLICATION WITH REMARKS

18  
19                  December 4, 2003

20  
21                  Commissioner for Patents  
22                  P.O. Box 1450  
23                  Alexandria, VA 22313-1450

24  
25  
26                  Dear Sir:

27  
28                  Please file the following enclosed patent application  
29                  papers:

30  
31                  FIRST NAMED INVENTOR:   JAMES E. CHITWOOD

32  
33                  SECOND NAMED INVENTOR: WILLIAM BANNING VAIL III

                  TRANSMITTAL LETTER WITH  
                  REMARKS FOR PATENT APPLICATION  
                  ENTITLED "HIGH POWER UMBILICALS  
                  FOR ELECTRIC FLOWLINE IMMERSION  
                  HEATING OF PRODUCED HYDROCARBONS"

- 1 -

8



TITLE: "HIGH POWER UMBILICALS FOR ELECTRIC FLOWLINE  
IMMERSION HEATING OF PRODUCED HYDROCARBONS"

TYPE APPLICATION: C.I.P. APPLICATION OF U.S. PATENT  
APPLICATION SERIAL NO. 10/223,025

PAGES OF SPECIFICATION, CLAIMS, ABSTRACT: 167

SHEETS OF FORMAL DRAWINGS: 48

NUMBER OF INDEPENDENT CLAIMS: 6

NUMBER OF DEPENDENT CLAIMS: 0

TOTAL NUMBER OF CLAIMS: 6

PRIORITY CLAIMED: SEE DECLARATION, FORM PTO/SB/01  
and FORM PTO/SB/02A

ADDITIONAL DOCUMENTS ACCOMPANYING

THIS TRANSMITTAL LETTER:

1. Utility Patent Application Transmittal Form PTO/SB/05
2. Declaration for Utility or Design Patent  
Application Form PTO/SB/01 and Form PTO/SB/02A  
(a total of 6 sheets)
3. Fee Transmittal FY 2004 Form PTO/SB/17
4. Vail's Inventions Check No. 8598 in the amount  
of \$514.00

TRANSMITTAL LETTER WITH  
REMARKS FOR PATENT APPLICATION  
ENTITLED "HIGH POWER UMBILICALS  
FOR ELECTRIC FLOWLINE IMMERSION  
HEATING OF PRODUCED HYDROCARBONS"

- 2 -

9

1 5. Self-addressed stamped receipt postcard  
2

3 6. Separate Certificate of Deposit by "Express Mail"  
4  
5

6 PAYMENT OF FEES:  
7

8 Vail's Inventions Check No. 8598 in the amount of five  
9 hundred fourteen dollars (\$514.00) is included herein to pay  
10 for the following fees:  
11

12 (a) Basic patent fee for Small Entity \$ 385.00  
13

14 (b) Fee for Independent Claims in  
15 Excess of three which  
16 is 3 x \$43.00 \$ 129.00  
17

18 (b) Fee for total claims in excess of \$ 0.00  
19 20 which is 0 x \$9.00  
20

21  
22  
23 Total \$ 514.00  
24  
25

26 However, if the applicant has made a mistake on the  
27 payment of any fees herein, applicant requests that any such  
28 deficiencies be billed to Account No. 50-0499 that was  
29 established on 3/20/1998. Fees on patents and patent  
30 applications entirely owned, or owned in part, by William  
31 Banning Vail III may be made from this account. William  
32 Banning Vail III is doing business as an inventor under the  
33 name of "Vail's Inventions". Marilyn L. Vail, the wife of

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REMARKS FOR PATENT APPLICATION  
ENTITLED "HIGH POWER UMBILICALS  
FOR ELECTRIC FLOWLINE IMMERSION  
HEATING OF PRODUCED HYDROCARBONS"

- 3 -

10

1 William Banning Vail III, may also direct that fees be paid  
2 from this Account No. 50-0499. If for unforeseen reasons  
3 funds are not available in that account, please let applicant  
4 know as soon as possible and said deficiencies will be paid  
5 immediately. In the event of overpayment of any fees herein,  
6 applicant respectfully requests that any overpayment be  
7 deposited into Account No. 50-0499.  
8  
9

10 STATEMENT OF PRIOR ART:  
11

12 Applicant is unaware of any additional relevant art in  
13 the field other than that stated in the specification.  
14  
15

16 STATEMENT OF SMALL ENTITY STATUS: Applicant hereby certifies  
17 that this application is entitled to be filed under a "Small  
18 Entity Status".  
19  
20

21 REMARKS:  
22

23 It is noted by the inventor that the Certificate of  
24 Deposit by "Express Mail" is being used. Therefore, the  
25 filing date of the application is that date when the  
26 application is mailed (December 4, 2003).  
27

28 No foreign applications have been filed by applicant  
29 related to this application. However, a PCT application will  
30 be filed shortly related to this application that will be  
31 filed on, or before, December 8, 2003.  
32

33 Formal drawings are submitted herein.

TRANSMITTAL LETTER WITH  
REMARKS FOR PATENT APPLICATION  
ENTITLED "HIGH POWER UMBILICALS  
FOR ELECTRIC FLOWLINE IMMERSION  
HEATING OF PRODUCED HYDROCARBONS"

1 Although the First Inventor is Mr. James E. Chitwood,  
2 it has been decided that the Second Named Inventor, myself,  
3 William Banning Vail III, shall be responsible for all  
4 correspondence to, and from, the USPTO.  
5  
6

7 Pro-Se Case  
8

9 This case herein is a pro-se case. Therefore, in the  
10 event that the USPTO objects to any, or all of the claims  
11 herein, applicant respectfully requests assistance from the  
12 Examiner under MPEP Section 707.07(j) to draft an acceptable  
13 claim based upon the disclosure and language in the  
14 application.  
15

16 Further, in the event that the Examiner rejects the  
17 claims, applicant requests that Examiner direct applicant  
18 to the claims closest to allowability, and if possible,  
19 applicant further requests that Examiner preliminarily  
20 mark-up one of said claims in a future office action to  
21 further aid applicant to achieve allowability of at least  
22 one claim in an expeditious fashion.  
23

24  
25 DECLARATION:  
26

27 As applicant, I hereby verify that all statements made  
28 herein of my own knowledge are true and that all statements  
29 made on my information and belief are believed to be true,  
30 and further that these statements were made with the  
31 knowledge that willful false statements and the like so made  
32 are punishable by fine or imprisonment, or both, under  
33 Section 1001 of Title 18 of the United States Code and that

TRANSMITTAL LETTER WITH  
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ENTITLED "HIGH POWER UMBILICALS  
FOR ELECTRIC FLOWLINE IMMERSION  
HEATING OF PRODUCED HYDROCARBONS"

- 5 -

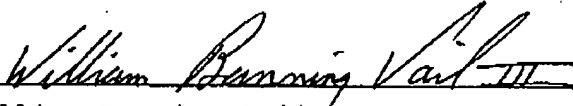
12

1 such wilful false statements may jeopardize the validity of  
2 the application or any patent issuing thereon.  
3

4 This application is filed pro-se. The applicant is  
5 using the book entitled "Patent It Yourself", Ninth Edition,  
6 by David Pressman, and if there are errors, please advise the  
7 inventor, and such errors will be corrected immediately.  
8  
9

10 Please address all correspondence involving this case to  
11 the co-inventor at the below defined address. Thank you.  
12  
13

14 Very respectfully submitted,  
15  
16

17   
18 William Banning Vail III  
19 William Banning Vail III  
20 Second Named Inventor and  
21 President of Smart Drilling and Completion, Inc.  
22 3123 - 198th Place S.E.  
23 Bothell, Washington 98012  
24 Home Telephone: (425) 486-8789  
25 Home Fax: (425) 482-2013  
26  
27  
28

12/7/2003  
Date

29 (Note: This is the signature page of the document entitled  
30 "TRANSMITTAL LETTER FOR PATENT APPLICATION WITH REMARKS" for  
31 the U.S. Patent Application entitled "HIGH POWER UMBILICALS  
32 FOR ELECTRIC FLOWLINE IMMERSION HEATING OF PRODUCED  
33 HYDROCARBONS".)

TRANSMITTAL LETTER WITH  
REMARKS FOR PATENT APPLICATION  
ENTITLED "HIGH POWER UMBILICALS  
FOR ELECTRIC FLOWLINE IMMERSION  
HEATING OF PRODUCED HYDROCARBONS"

- 6 -

13